

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

CODY HART, *et al.*,

Plaintiffs,

v.

SKAGIT COUNTY AUDITOR SANDRA
PERKINS, *et al.*,

Defendants.

CASE NO. 2:23-cv-00404-RSL

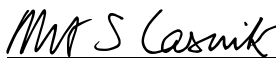
ORDER

This matter comes before the Court on “Plaintiffs’ Motion in Opposition of Defendants’ Joint Motion for Judgment on the Pleadings and for Judgment.” Dkt. # 58. On May 16, 2023, the Court granted the Skagit County defendants’ motion to dismiss, finding that plaintiffs lacked standing, that the federal statutes they cited do not give rise to a private cause of action, and that the state law claims were time-barred. Dkt. # 44. Plaintiffs were given leave to amend their complaint, but did not do so. Three months later, defendants jointly moved to dismiss the claims against RLI Insurance Company, arguing that plaintiffs could not recover against RLI on the County defendants’ bonds where there was no viable claim against the County defendants. Plaintiffs did not respond to the motion before the note date, and it was granted on the merits on September 14, 2023. Dkt. # 53.

1 On September 25, 2023, the Court received the document at issue here, in which
2 plaintiffs assert that “defendants have failed to supply this Court with proof” that the joint
3 motion to dismiss the claims against RLI was served on plaintiffs. Dkt. # 58 at 1. To the
4 contrary, the declaration of service attached to the joint motion specifies that the document
5 was mailed to plaintiffs’ address of record and emailed to their individual email addresses
6 on August 11, 2023. Dkt. # 52 at 9. Plaintiffs offer no declarations or other evidence that
7 throws into doubt the declaration of service, that could overcome the presumption that
8 postal officers properly discharged their duties, or that suggests that the various addresses
9 defendants used were incorrect. The Court declines to disturb the judgment in this case.
10
11

12
13 For all of the foregoing reasons, plaintiffs’ “Motion in Opposition” (Dkt. # 58) is
14 DENIED.
15

16
17 Dated this 2nd day of October, 2023.
18

19 
20 Robert S. Lasnik
21 United States District Judge
22
23
24
25
26